

April 16, 2020

VIA ECF

The Honorable Lorna G. Schofield
United States District Court for the Southern District of New York
40 Foley Square
New York, NY 10007

Allianz Global Investors GmbH, et al. v. Bank of America Corporation, et al., 1:18-cv-10364

Dear Judge Schofield:

Pursuant to the Court's January 17, 2019 Civil Case Management Plan and Scheduling Order, Dkt. 144 (the "Scheduling Order"), the parties write to update the Court on the status of the above-captioned action.

Pending Motions

Defendants' motions to dismiss the Second Amended Complaint ("SAC") were filed July 25, 2019, Plaintiffs' oppositions were filed September 9, 2019, and Defendants' replies were filed October 11, 2019.

No other motions are currently pending.

Discovery

On April 2, 2020, the Court held a telephonic discovery conference and ordered the parties to meet and confer and file additional joint letters on April 17 and May 1; for Plaintiffs to provide certain information and affidavits; and for the parties to appear for another telephonic discovery conference on May 7, 2020. Dkt. 372. The parties' positions on those issues will be set forth in the separate filings and on the timeline envisioned by the Court's order.

Discovery by Plaintiffs. Pursuant to the Court's January 17, 2019 Order, Dkt. 143, Defendants have produced the unredacted operative complaint in *In re Foreign Exchange Benchmark Rates Antitrust Litigation*, (S.D.N.Y. No. 13-cv-7789) ("*FOREX*"), and the chat transcripts that Defendants produced in that action.

On February 15, 2019, Plaintiffs served their First Set of Requests for Production of Documents to Defendants. Defendants served their responses and objections, the parties have met and conferred, and some Defendants have produced certain categories of additional documents as a result. Nonetheless, Plaintiffs believe that some Defendants' productions are still deficient and the parties are attempting to resolve those issues.

On April 15, 2019, Plaintiffs served their Second Set of Requests For Production of Documents to Defendants. Defendants served their responses and objections, and the parties have met and conferred, and some Defendants have produced certain categories of additional documents as a

result. Nonetheless, Plaintiffs believe that some Defendants' productions are still deficient and the parties are attempting to resolve those issues.

The aforementioned productions by and requests on Defendants do not apply to Defendants that filed a motion to dismiss pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, against whom discovery is stayed pursuant to the Scheduling Order.

Discovery by Defendants. Pursuant to the Court's January 17, 2019 Order, Dkt. 143, Plaintiffs have produced or identified data underlying the economic analysis in the SAC, Plaintiffs' FX transactional data, and information on the individuals who traded FX for plaintiffs.

On March 12, 2019, Non-Foreign Defendants served their First Set of Requests for Production of Documents to Plaintiffs. Plaintiffs served their responses and objections to those document requests on April 11, 2019. Plaintiffs have been producing certain categories of documents on a rolling basis pursuant to those requests and the parties are communicating regarding other requested categories.

On May 22, 2019, the JPMorgan Defendants served a first set of interrogatories on Plaintiffs. Plaintiffs served their objections and responses on June 21, 2019. Pursuant to the Court's August 7, 2019 order, Dkt. No. 262, Plaintiffs served supplemental responses on August 21, 2019, and the parties filed a joint letter concerning the sufficiency of those responses on August 28, 2019, Dkt. No. 266. Pursuant to the Court's October 17, 2019 order, Dkt. No. 314, each Plaintiff completed a questionnaire responding to interrogatory nos. 1 and 3, and served the responsive information on Defendants on December 6, 2019. Defendants continue to analyze the sufficiency of Plaintiffs' responses to the JPMorgan Defendants' interrogatories, as mentioned in Defendants' last letter to the Court, Dkt. No. 343, and will raise any issues concerning those responses, as well as any other ripe discovery disputes, if necessary.

On March 30, 2020, UBS Securities LLC served a first set of interrogatories on certain Plaintiffs. Plaintiffs' responses are due on April 29, 2020.

On April 10, 2020, the JPMorgan Defendants served a second set of interrogatories on Plaintiffs. Plaintiffs' responses are due on May 11, 2020.

On April 13, 2020, Non-Foreign Defendants served a notice of deposition under Rule 30(b)(6) of the Federal Rules of Civil Procedure on BlackRock Plaintiffs.

Schedule Through Fact Discovery. Pursuant to the Scheduling Order, no later than 10 days after the Court rules on Defendants' motions to dismiss, the parties shall submit a joint detailed proposal for the completion of fact discovery.

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